

As to the jurisdiction of equity over infants, see art. 16, sec. 57, *et seq.*

As to the appointment of guardians in cases of division and election, see art. 46, sec. 35; see also, art. 46, sec. 53.

As to the powers and duties of institutions for the care and protection of minors, see art. 23, sec. 258.

As to marriages of minors, see art. 62, sec. 7, *et seq.*

1904, art. 93, sec. 144. 1888, art. 93, sec. 145. 1860, art. 93, sec. 145.  
1834, ch. 291, sec. 4.

**145.** In case any infant in this State shall be entitled to personal property by purchase or by gift, other than by last will and testament, recorded in this State, and there be no guardian appointed to such infant within this State, the orphans' court of the county in which such infant shall reside shall have the right to appoint a guardian to such infant.

*Ibid.*, sec. 145. 1888, art. 93, sec. 146. 1860, art. 93, sec. 146.  
1834, ch. 291, sec. 2.

**146.** The orphans' court shall have the right and power to appoint a guardian to any such infant as aforesaid, although such infant may have a father or mother living at the time of such appointment; provided, notice be given by the court, by publication or otherwise, to such father, or mother (if there be no father living), to show cause why such appointment should not be made; and such appointment shall be as valid in every respect as if the father and mother of such infant were both dead at the time; but nothing herein contained shall prevent the said courts from appointing the father or mother of such infant its guardian if the court to whom the appointment properly belongs shall, in its discretion, deem such father or mother a fit and proper person to be so appointed.

The notice required by this section must be by summons if the party is within the reach of process; otherwise, by publication. Verbal notice is not sufficient. *Redman v. Chance*, 32 Md. 52.

The mother being the natural guardian, will be preferred to a guardian named at the request of the deceased putative father. No appeal lies from such appointment. *Ramsay v. Thompson*, 71 Md. 319. And see *Helms v. Franciscus*, 2 Bl. 544.

Where a guardian is appointed without notice to the father and mother, although parties aggrieved are not limited to appealing from such order, a petition raising the point must be filed within thirty days from the time of actual knowledge of such appointment. *Redman v. Chance*, 32 Md. 52; *Stanley v. Safe Deposit Co.*, 88 Md. 407.

In the absence of a statutory guardian, a natural guardian may sue for a conversion of the infant's property. *Baltimore v. Norman*, 4 Md. 359; *Smith v. Williamson*, 1 H. & J. 147.

*Ibid.*, sec. 146. 1888, art. 93, sec. 147. 1860, art. 93, sec. 147.  
1798, ch. 101, sub-ch. 12, sec. 2.

**147.** The court shall have power to have brought before them any infant for the purpose of appointing a guardian.

It is not necessary that the orphans' court should summons the infant before it in every case, though such practice is approved where the infant has reached the age of discretion. Purpose of this section. *Lefever v. Lefever*, 6 Md. 477.